

1 PHILLIP A. TALBERT
United States Attorney
2 KEVIN C. KHASIGIAN
Assistant U.S. Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
4 Telephone: (916) 554-2700
5 Attorneys for the United States

6
7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 APPROXIMATELY 10.19321397
BITCOIN,
15 Defendant.
16

2:21-CV-02353-JAM-DB

DECLARATION OF TAMMY TEGLIA IN
SUPPORT OF REQUEST TO CLERK FOR
ENTRY OF DEFAULT AGAINST BINANCE

17
18 I, TAMMY TEGLIA, declare as follows:

19 1. I am the Paralegal Specialist assigned to the above-captioned civil forfeiture action.

20 2. I have personal knowledge of the following matters, except those stated on information
21 and belief, and as to those matters I believe them to be true, and if called as a witness in this proceeding,
22 after being duly sworn, I could and would competently testify thereto.

23 3. To the best of my knowledge and belief, Binance is not an infant nor is it an incapacitated
24 person.

25 4. To the best of my knowledge and belief, Binance is not in the military service of the
26 United States, within the meaning of the Servicemembers Civil Relief Act of 2003. (50 U.S.C. App. §§
27 501-596).

28 ///

6. On January 6, 2022, the United States sent copies of the above-listed documents to Binance by email to the following email address: case@binance.com. On January 6, 2022, Binance responded via email that they were receiving heavy email traffic and would respond to our inquiry shortly. On January 26, 2022, I received formal correspondence from an individual named Nikolai with the Binance Case Team. Nikolai's correspondence provided information on the Binance Case unit and an attached document set forth the current balance for the account the United States seized the defendant cryptocurrency from, as well as information specific to Binance concerning account freezes, seizures, and transferring funds. True and correct copies of the emails sent to and received from Binance are attached as Exhibit B.

7. To date, no claim or answer has been filed by or on behalf of Binance, as required by Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and its time to file a claim and answer has expired.

8. The defendant funds were arrested on March 7, 2022, by the U.S. Secret Service. See Process Receipt and Return filed March 8, 2022.

9. Beginning on January 8, 2022, for at least thirty consecutive days, the United States published Notice of the Forfeiture Action on the official internet government forfeiture site www.forfeiture.gov. A Declaration of Publication was filed on March 2, 2022.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of March, 2022.

Tammy Teglia
Tammy Teglia
Paralegal Specialist

EXHIBIT A



U.S. DEPARTMENT OF JUSTICE

*United States Attorney
Eastern District of California*

*Phillip A. Talbert
United States Attorney*

501 I Street, Suite 10-100
Sacramento, CA 95814

Phone 916/554-2700
Fax 916/554-2900
TTD 916/554-2855

January 6, 2022

INTERNATIONAL FEDERAL EXPRESS

NOTICE OF FORFEITURE ACTION

Binance
Level 3, Melita Court
Triq Giuseppe Cali
Ta' Xbiex XBX 1420 Malta

Re: Approximately 10.19321397 Bitcoin, 2:21-CV-02353-JAM-DB

Dear Potential Claimant(s):

This is to advise you that a Verified Complaint for Forfeiture *In Rem* has been filed against the above-described property. Enclosed are copies of the complaint, application and order for publication, warrant for arrest, order requiring service of process and joint status report, order re filing requirements, notice of availability of a magistrate judge, and notice of availability of voluntary dispute resolution.

We are informing you of the filing of this Complaint because you may have the right to appear in this action and contest the forfeitability of the property. If you intend to contest forfeitability, a Claim, signed under penalty of perjury, must be filed with the Court no later than thirty-five (35) days after the date of this notice; and an Answer or a motion under Rule 12 of the Federal Rules of Civil Procedure ("Fed. R. Civ. P.") must be filed with the Court within twenty-one (21) days of the filing of your claim. Please contact the Clerk of the U.S. District Court at 916/930-4000 for specific inquiries concerning the procedure for the filing of your Claim and Answer. A copy of any document filed with the Court must be served on this office. If you have an adequate reason, you may be able to obtain a reasonable extension of time for the filing of either the Claim or Answer by contacting me at the number provided below.

The Claim as submitted will have to be in compliance with the provisions of Rule G(5)(a) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions in that it must identify the specific property being claimed, identify the claimant and state the claimant's interest in the property, and it must be signed under penalty of perjury by you.

If no Claim has been filed with the Court and served on this office within thirty-five (35) days of the date of this notice, we will assume that you do not intend to intervene and will take a default judgment against your interest in the defendant property at that time.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. *See* 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition need not be made in any particular form and may be filed online or in writing. You should file a petition not later than 11:59 p.m. EST thirty (30) days after the date of this notice. *See* 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm> website provides access to a standard petition form that may be mailed and the link to file a petition online. If you cannot find the desired assets online, you must file your petition in writing by sending it to Assistant U.S. Attorney Kevin C. Khasigian, 501 I Street, Suite 10-100, Sacramento, CA 95814. This website provides answers to frequently asked questions (FAQs) about filing a petition. You may file both a verified claim with the court and a petition for remission or mitigation.

Please advise us prior to the filing deadline if you have any problems with the preparation and filing of a Claim, or with the time limitations. I can be reached at 916/554-2768.

Sincerely,

Phillip A. Talbert
United States Attorney

A handwritten signature in black ink that reads "Tammy Teglia". The signature is written in a cursive, flowing style.

TAMMY TEGLIA
Paralegal Specialist
Asset Forfeiture Unit

Enclosures



TRACK ANOTHER SHIPMENT

775686359823



[ADD NICKNAME](#)

ON TIME



No scheduled delivery date available at this time.

Scheduled delivery:
Pending



IN TRANSIT

At FedEx destination facility
LUQA, MT

[GET STATUS UPDATES](#)

FROM

SACRAMENTO, CA US

TO

TA XBIEX, MT

Travel History

TIME ZONE
Local Scan Time



Monday, January 24,
2022

5:22 PM	LUQA MT	At local FedEx facility
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Friday, January 21,
2022

5:52 PM	LUQA MT	At local FedEx facility
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Thursday, January 20,
2022

5:58 PM	LUQA MT	At local FedEx facility
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Wednesday, January 12,
2022

1:07 PM	LUQA MT	Delay Shipment Refused by recipient.
11:20 AM	LUQA MT	On FedEx vehicle for delivery
10:36 AM	LUQA MT	International shipment release - Import
10:36 AM	LUQA MT	In transit Package available for clearance
10:36 AM	LUQA MT	At local FedEx facility
Tuesday, January 11, 2022		
5:15 AM	TREMBLAY EN FRANCE FR	In transit
4:01 AM	ROISSY CHARLES DE GAULLE CEDEX FR	Departed FedEx hub
Saturday, January 8, 2022		
11:08 PM	ROISSY CHARLES DE GAULLE CEDEX FR	International shipment release - Import
11:07 PM	ROISSY CHARLES DE GAULLE CEDEX FR	In transit Package available for clearance
10:29 PM	ROISSY CHARLES DE GAULLE CEDEX FR	Arrived at FedEx hub
7:31 AM	MEMPHIS, TN	Departed FedEx hub
6:41 AM	MEMPHIS, TN	In transit
Friday, January 7, 2022		
10:53 PM	MEMPHIS, TN	In transit
Thursday, January 6, 2022		
4:41 PM	SACRAMENTO, CA	Picked up
4:12 PM		Shipment information sent to FedEx

Collapse History ^

Shipment Facts

TRACKING NUMBER	SERVICE	WEIGHT
775686359823	FedEx International Economy	1 lbs / 0.45 kgs
TOTAL PIECES	TOTAL SHIPMENT WEIGHT	TERMS
1	1 lbs / 0.45 kgs	Shipper
PURCHASE ORDER NUMBER	SHIPPER REFERENCE	PACKAGING
USA/SS/CAE1/SACR	Binance	FedEx Envelope

EXHIBIT B

Teglia, Tammy (USACAE)

From: Teglia, Tammy (USACAE)
Sent: Thursday, January 6, 2022 5:00 PM
To: case@binance.com
Subject: U.S. v. Approximately 10.19321397 Bitcoin, 2:21-CV-02353-JAM-DB
Attachments: potential clmnt ltr Binance.pdf; Complaint filed 12 17 21.pdf; publ app & ord lodged 12 17 21.pdf; arrest warrant clerks issued 1 4 22.pdf; Ord re Service and JSR.pdf; Ord Re Filing Requirements.pdf; Mag Judge Consent ntc.pdf; Voluntary Dispute Resolution ntc.pdf

Binance,

Please see the attached Notice of Forfeiture Action along with the court documents referenced in the notice. The documents were also sent to your office via International Federal Express today and is related to the Bitcoin seized pursuant to a Federal seizure warrant that was held in User ID 25002089/User ID Number R8750839, controlled by and in the name of Tarun Kumar Arora.

Thanks,

Tammy Teglia
Paralegal Specialist
Asset Forfeiture Unit
USAO - Eastern District of California
916/554-2768

"CONFIDENTIALITY NOTICE: This communication with its contents and attachments, if any, may contain confidential, law enforcement sensitive, privileged attorney/client communications or work products, and is not subject to disclosure. It is solely for the use of the intended recipients. Unauthorized interception, review, use or disclosure is prohibited. If you believe that you have received this email in error, please notify the sender immediately, and permanently delete the email, any attachments, and all copies from your computer."

Teglia, Tammy (USACAE)

From: case <case+noreply@binance.com>
Sent: Thursday, January 6, 2022 5:01 PM
To: Teglia, Tammy (USACAE)
Subject: [EXTERNAL] Re: U.S. v. Approximately 10.19321397 Bitcoin, 2:21-CV-02353-JAM-DB

Hello,

Thank you for reaching out to Binance.

We are experiencing a high volume of inquiries at the moment and will greatly appreciate your patience.

We apologise in advance for the inconvenience.

Sincerely,
Binance Case Team

Teglia, Tammy (USACAE)

From: Binance Case Team <case@binance.com>
Sent: Wednesday, January 26, 2022 11:22 AM
To: Teglia, Tammy (USACAE)
Cc: case@binance.com
Subject: [Not Virus Scanned] [EXTERNAL] [Not Virus Scanned] Re: U.S. v. Approximately 10.19321397 Bitcoin, 2:21-CV-02353-JAM-DB
Attachments: Report_Tammy Teglia_26_01_2022.zip

This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.

This message has not been virus scanned because it contains encrypted or otherwise protected data. Please ensure you know who the message is coming from and that it is virus scanned by your desktop antivirus software.

Hi Tammy,

Thanks for the request.

Please refer to the attachment for the current balance available on the account.

Password for the file:

The amount available is around

A. For freezing of accounts, we would first require you agree on the assurance statement below.

- Binance Holdings Limited ("Binance") is a non-U.S. company and is therefore not subject to U.S. subpoenas or other compulsory process. However, as part of its commitment to cooperating with U.S. law enforcement, Binance is generally willing to make a voluntary production of responsive information to aid U.S. law enforcement. In order to process this request, please indicate your agreement to the following:

Any response by Binance to this request will be voluntary and Binance reserves its position on jurisdiction. Binance is a witness, and not a subject or target, of the investigation or matter in which the information is being sought. Although any Binance production will be voluntary, DOJ and its investigative partners will treat the information produced as though it is subject Rule 6(e) of the Federal Rules of Criminal Procedure which are the federal grand jury secrecy rules.

—
We accept digital email confirmation. For example "I, John Smith of FBI unit San Francisco office, agree to the above-proposed assurance by Binance. This email confirms my agreement and acknowledgment".

—
B. We also ask to clarify which contact details (email address, the full name of the agent in charge of this case, and case number) we can share with the owner of the frozen account, assuming they inquire about the status of their respective accounts.

C. For seizing and transferring of funds, we would require you to agree on the following:

1) Binance is able to transfer only that specific types and amounts of cryptocurrency that are available on the user account balance. Please provide us for a wallet address for each token you intend to seize from the requested account.

2) Agree that Binance can direct the account owner to communicate with law enforcement authorities directly by sharing the case number and official work email address of the agent or agency in charge of the seizure.

If you have any questions, please do not hesitate to contact us.

We will be looking forward to receiving your response.

Kind regards,
Nikolai

Binance Case Team
BINANCE
www.binance.com

This e-mail and any attachments are intended only for the attention of the addressee(s). Its unauthorized use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by round-trip e-mail. Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail. This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by Binance.

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On Fri, Jan 7, 2022 at 3:00 AM 'Teglia, Tammy (USACAE)' via case <case@binance.com> wrote:

Binance,

Please see the attached Notice of Forfeiture Action along with the court documents referenced in the notice. The documents were also sent to your office via International Federal Express today and is related to the Bitcoin seized pursuant to a Federal seizure warrant that was held in User ID 25002089/User ID Number R8750839, controlled by and in the name of Tarun Kumar Arora.

Thanks,

Tammy Teglia

Paralegal Specialist

Asset Forfeiture Unit

USAO - Eastern District of California

916/554-2768

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